

DATE: May 25, 2004

ANALYST: Dayna C. Brown

I. COMMITTEE:

Pro-Life Campaign Committee

(C00355958)

Pablo Gersten, Treasurer

P.O. Box 650248 Sterling, VA 20165

II. RELEVANT STATUTES:

2 U.S.C. §434(a) (11) (A) (i) 2 U.S.C. §434 (a) (4) (i) (iv) 11 CFR §104.5 (c) (1) (i) (A) 11 CFR §104.5 (c) (2) (i) (B) 11 CFR §104.18 (a) (1) (i) and (ii)

11 CFR §104.18 (a) (2)

11 CFR §111.30 through 111.46

### III. BACKGROUND:

Chronic Failure to File Reports

The Pro-Life Campaign Committee ("the Committee") submitted its 2001 Year-End Report and its 2002 April and July Quarterly Reports on paper. The Committee exceeded the electronic filing threshold during the 2001 Year-End reporting period and was therefore required to file each of these reports electronically. The reports were consequently considered 'not-filed' by the Commission and the Committee received a 'Failure to File' notice for each of the reports. The Committee also received a 'Failure to File' notice referencing its 2002 October Quarterly Report.

The Committee initially filed reports disclosing \$182,580 in total receipts and \$71,883 in total disbursements for the 2001-2002 election cycle. In November 2002 and January 2003, the Committee treasurer called the Reports Analysis Division (RAD) for assistance in filing electronically (Attachment 2). On February 10 and 11, 2003, the Committee disclosed additional activity for each report required in the 2001-2002 cycle. With the filing of these reports, the Committee divulged a substantial increase in activity, with the disclosure of more than \$5 million in both total receipts and total disbursements.



On July 30, 2001, the Committee filed a 2001 Mid-Year Report disclosing \$38,756 in receipts and \$26,754 in disbursements (Image # 21037244026).

### 2001 Year-End Report

On January 29, 2002, the Committee filed a paper 2001 Year-End Report disclosing \$55,961 in receipts and \$11,629 in disbursements (Image # 22037431023). With reported receipts greater than \$50,000, the Committee was required to file this report electronically. As such, the paper 2001 Year-End Report was reclassified as a miscellaneous document (MS-T) within the FEC database.

On February 26, 2002, a 'Failure to File an Original Report in an Electronic Format' notice (MS-P) was sent to the committee notifying them that the reporting requirement would not be satisfied until the report was filed in an electronic format (Image # 22037484044). On March 8, 2002, a 'Failure to File' notice (RQ-7) was sent to the Committee referencing the 2001 Year-End Report (Image # 22037501434).

The Administrative Fine process for the 2001, Year-End Report began on June 17. 2002 with the sending of Reason-to-Believe (RTB) mailgrams.

On February 10, 2003, well after the Administrative Fine process was completed for 2001 Year-End Report, the Committee electronically filed an amendment disclosing \$926,837 in receipts and \$891,630 in disbursements for the 2001 Year-End reporting period (Image # 23990366163).

### 2002 April Quarterly Report

On May 6, 2002, the Committee received a 'Failure to File' notice (RQ-7) referencing the 2002 April Quarterly Report (Image #22037581154). On July 21, 2002, the Committee filed a paper 2002 April Quarterly Report disclosing \$46,458 in receipts and \$20,723 in disbursements (Image #22037670432). Having met the mandatory electronic filing threshold during the 2001, Year-End reporting period, the Committee was required to file this and all subsequent reports for the next two full calendar years, electronically. On August 1, 2002, the Committee was sent a 'Failure to File an Original Report in an Electronic Format' notice (MS-P) notifying them that the reporting requirement would not be satisfied until the report was filed in an electronic format (Image # 22037691986). On May 6, 2002, a 'failure to file' notice (RQ-7) was sent to the Committee referencing the 2002 April Quarterly Report (Image #22037581154). The paper 2002 April Quarterly Report was reclassified as a MS-T within the FEC database.

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The Administrative Fine process for the 2002 April Quarterly Reports began on September 10, 2002 with the sending of RTB mailgrams. The Committee was not included in this process because the Commission did not consider the Committee's paper 2001 Year-End Report (filed January 29, 2002) or paper 2002 April Quarterly Report (filed July 21, 2002) sufficient in satisfying the filing requirements since both reports were required to be filed electronically. The Commission was therefore unable to use activity disclosed on these reports to determine the Committee's eligibility for inclusion in the Administrative Fines program.

On February 11, 2003, well after the Administrative Fine process was completed for the 2002 April Quarterly Reports, the Committee filed an electronic amendment disclosing \$1,004,813 in receipts and \$975,014 in disbursements for the 2002 April Quarterly reporting period (Image #23990367440).

### 2002 July Quarterly Report

On July 19, 2002, the Committee filed a paper 2002 July Quarterly Report disclosing \$41,405 in receipts and \$12,777 in disbursements (Image #22307661973). Having met the mandatory electronic filing threshold during the 2001 Year-End reporting period, the Committee was required to file this and all subsequent reports for the next two full calendar years, electronically. On August 1, 2002, the Committee was sent a 'Failure to File an Original Report in an Electronic Format' notice (MS-P) notifying them that the reporting requirement would not be satisfied until the report was filed in an electronic format (Image # 22037691986). On August 2, 2002, the Committee was sent a 'Failure to File' notice (RQ-7) referencing the 2002 July Quarterly Report (Image # 22037694081). The paper report was reclassified as a MS-T within the FEC database.

The Administrative Fine RTB mailgrams for the 2002 July Quarterly Report were sent to applicable committees on October 31, 2002. The Committee was not included in this process because the Commission did not consider the Committee's paper 2001 Year-End Report (filed January 29, 2002), paper 2002 April Quarterly Report (filed July 21, 2002) or paper 2002 July Quarterly Report (filed July 19, 2002) sufficient in satisfying the filing requirements since the reports were required to be filed electronically. The Commission was therefore unable to use the activity disclosed on these reports to determine the Committee's eligibility for inclusion in the Administrative Fine program.

On February 10, 2003, well after the Administrative Fine process was completed for the 2002 July Quarterly Reports, the Committee filed an electronic amendment disclosing \$733,049 in receipts and \$706,144 in disbursements for the 2002 July Quarterly reporting period (Image #23990366198).

### 2002 October Quarterly Report

On November 4, 2002, the Committee received a 'Failure to File' notice (RQ-7) referencing its 2002 October Quarterly Report (Image #22037840556).

The Administrative Fine process for 2002 October Quarterly Reports began on December 30, 2002 with the sending of RTB mailgrams to all applicable committees. The Committee was not included in this process because the Committee had not yet filed a 2002 October Quarterly Report. Additionally, the Commission did not consider the Committee's paper 2001 Year-End Report (filed January 29, 2002), paper 2002 April Quarterly Report (filed July 21, 2002) or paper 2002 July Quarterly Report (filed July 19, 2002) sufficient in satisfying the filing requirements since the reports were required to be filed electronically. The Commission was therefore unable to use activity disclosed on these reports to determine the Committee's eligibility for inclusion in the Administrative Fine program.

On February 11, 2003, well after the Administrative Fine process was completed for the 2002 October Quarterly Reports, the Committee filed an electronic amendment disclosing \$636,542 in receipts and \$625,413 in disbursements for the 2002 October Quarterly reporting period (Image #23990367631).

In May of 2003, the Committee filed additional electronic amendments to its 2001 Mid-Year and Year-End Reports, as well as its 2002 April, July and October Quarterly Reports.

The Committee's 2002 30 Day Post-General and Year-End Reports are currently involved in the Administrative Fine program. Specifically, the committee was assessed a civil money penalty of \$12,000.00 for the 2002, 30 Day Post-General report. The RTB mailgram was sent to the Committee on March 2, 2003. The Committee sent in a challenge to the Office of Alternative Resolution (OAR) on June 12, 2003. OAR circulated a recommendation to the Commission on April 12, 2004 to uphold the assessed monetary penalty.

The Committee was also assessed a civil money penalty of \$6,000.00 for the 2002 Year-End Report. The RTB mailgram was sent to the Committee on July 7, 2003. The Committee subsequently sent in a challenge on August 8, 2003 to the Office of Alternative Resolution (OAR). OAR circulated a recommendation to the Commission on April 12, 2004 to uphold the assessed civil monetary penalty.

All communication logs between the Committee and the FEC are included within this referral and designated as attachment 3. The most recent telephonic communication occurred on April 12, 2004.

FEDERAL ELECTION COMMISSION

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ttachment l

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PRO - LIFE CAMPAIGN COMMITTEE Gersten, Pablo FILING FREQUENCY: QUARTERLY

PO BOX 650248

STERLING

NUN-PARTY QUALIFIED VA 20165

ID #C00355958

FOR	1 TYPE	RPT TYP	E AI	PGI	REC DATE	PGS	BEG IMAGE	COVERAC	GE DATES	BEG (	CASH	RECEIPTS	DISBURSE	END CASH	DEBTS BY	
	1		A		2/07/2003	E	23990358714									
	1		Ĥ		2/10/2003		23990364393									
	MS		т		3/13/2003	1	23990524340									
	MS		Ť		3/19/2003		23990557827									
	MS		Ť		4/16/2003		23990763598									
	MS		Ť		4/16/2003		23038053700									
	MS		Ť		5/09/2003		23990883131									
	MS		Ť		3/22/2004		24990859715									
	MS		Т		3/26/2004		24990892774									
	MS		Т		4/13/2004	2	24990967390									
	RQ	MY	2		3/03/2004	5	24038333193	1/01/2003	6/30/2003							
	Nu	""	_		370372004	3	24000000100	170172003	0/30/2003							
	RQ	YE	2		3/17/2004	4	24038341537	7/01/2003	12/31/2003							
	3	MY	N	Р	7/28/2003	103	23991568727	1/01/2003	6/30/2003	145	5736	3057893	2968468	23516 <sup>-</sup>	1 0	
Party	3	YE	N	Ρ	1/29/2004	76	24990241854		12/31/2003	230	0161	1339575	1331794	23794	2 0	
2	3	YE	Α	Р	3/22/2004		24038343898		12/31/2003		-	-	-			
1	3	YE	A	Р	3/26/2004	76	24990892690	7/01/2003	12/31/2003	235	5161	1339574	1331794	24294 <sup>4</sup>	0	
57	3	Q1	N	Р	4/07/2004	26	24990932435	1 /01 /2004	3/31/2004	24'	2941	555314	549353	24890 <sup>-</sup>	1 0	
TN4	3	W.I	17	•	470772004	20	24990932433	170172004	3/31/2004	244	2341	333314	049303	24030		
#194 <b> </b>									TOTAL			4952781	4849615			
4:1																
4:3																
Ö																
9																
41U																

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Attachment 1

PAGE 2

ID #C00355958

PRO - LIFE CAMPAIGN COMMITTEE

PABLO GERSTEN FILING FREQUENCY: QUARTERLY P.O. Box 650248

STERLING

NUN-PARTY QUALIFIED VA 20165

FORM TYPE	RPT TYPE	ΑI	PGI	REC DATE	PGS	BEG IMAGE	COVERA	GE DATES	BEG CASH	RECEIPTS	DISBURSE	END CASH	DEBTS BY
3 3	YE YE	N A	P P	2/10/2003 5/09/2003		23990366163 23990882979		12/31/2001 12/31/2001	29980 28562	926837 924061	891630 891206	65186 61417	0
3 3	Q1 Q1	N A	P P	2/11/2003 5/13/2003		23990367440 23990894383		3/31/2002 3/31/2002	65186 61417	1004813 996671	975014 975014	94985 83074	0
3 3	Q2 Q2	N A	P P	2/10/2003 5/09/2003		23990366198 23990883015		6/30/2002 6/30/2002	94985 83074	733049 737525	706144 706329	121890 114270	0
3 3	12P 12P	N A	P P	2/11/2003 5/09/2003		23990367617 23990883038		7/31/2002 7/31/2002	121890 114270	104383 90432	119735 103405	106537 101297	0
3 3	Q3 Q3	N A	P P	2/11/2003 5/09/2003	27	23990367631 23990883052	8/01/2002	9/30/2002 9/30/2002	106537 101297	636542 608621	625413 625413	117666 84505	0
3	30G 30G	N A	P P	2/10/2003 5/09/2003	21	23990364394 23990883110	10/01/2002	11/25/2002 11/25/2002	117666 84505	664430 683995	644928 644928	137169 123572	0
3 3	YE YE	N A	P P	2/10/2003 5/13/2003		23990364316 23990895064		12/31/2002 12/31/2002	137169 123572	423808 428488	408422 406323	152555 145736	0
04413472								TOTAL		5309353	5181175		

FEDERAL ELECTION COMMISSION

PRO - LIFE CAMPAIGN COMMITTEE

FILING FREQUENCY. QUARTERLY

PABLO GERSTEN

DATE 5/21/2004 OGC INDEX - (0) (1999-2000)

16 BICKEL COURT

STERLING

Achment 1 NON-PARTY QUALIFIED VA 20165

ID #C00355958

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FOR	1 TYPE	RPT TYPE	ΑI	PGI	REC DATE	PGS	BEG IMAGE	COVERAGE DATES	S BEG	CASH	RECEIPTS	DISBURSE	END CASH	DEBTS BY	
	1		N		3/31/2000	2	20035383365								•
	•		,,		0/01/2000	_	2000000000								
	MS		2		10/10/2000	2	20036083393								
	RQ		1		4/12/2000	2	20035410700	4/12/2	2000						
	RQ		6		5/04/2000	3	20035564339	5/04/	2000						
	RQ	Q2	7		8/03/2000	2	20035924672	4/01/2000 6/30/2	2000						
	RQ	12G	2		10/10/2001	2	21037330546	10/01/2000 10/18/2	2000						
	RQ	12G	3		12/20/2001		21037364847	10/01/2000 10/18/							
	RQ	YE	2		10/10/2001	2	21037330548	11/28/2000 12/31/3	2000						
	RQ	YE	3		12/20/2001		21037330348	11/28/2000 12/31/3							
			Ŭ		12,20,2001	•	21007004000	1172072000 127017	-000						
	3	Q2	N	P	3/07/2003	6	23038010442	4/01/2000 6/30/2	2000	0	0	0	0	-	
	•	02	NI.	<b>n</b>	40.106.10000		20026004064	710410000 01001	2000	4 4000	40044	500	07000		
រុក	3	Q3 Q3	N A		10/06/2000 4/08/2003		20036091061 23038041100	7/01/2000 9/30/2 7/01/2000 9/30/2		14388 0	13314 214507	500 206161	27202 8346	0	
5			•	•		•		.,,,,,		•		200.0.	0010	·	
j.v.	3	12G	N		10/27/2000		20036422819	10/01/2000 10/18/2		27202	4693	7098	24797	-	
4.7		12G	A	Р	3/07/2003		23038010427	10/01/2000 10/18/2		27202	4693	6098	25797	•	
m	3	12G	Α	Р	4/08/2003	12	23038041088	10/01/2000 10/18/2	2000	8346	61048	61254	8139	0	
	3	30G	N	P	12/08/2000	7	20036662360	10/19/2000 11/27/2	2000 2	24797	15210	6129	33879	-	
4.2	3	YE	N	Р	2/02/2001	6	21036861022	11/28/2000 12/31/2	nnn	879	6249	3500	36629	_	
$\mathcal{C}$	3	YE	Ä	P	3/07/2003		23038010439	11/28/2000 12/31/2		33879	6249	3500	36629	-	
CD.	3	YE		P	4/08/2003		23038041065	11/28/2000 12/31/2		15368	133142	130950	17559	-	
C.3								тоти	<b>NL</b>		423907	404494			

# Pro-Life Campaign Committee - C00355958 2001 - 2002 History

Report Type	Special Notice	Receipt Date	Image #	Pgs	Coverage	Dates	Begin Cash	Receipts	Disbursements	End Cash	Debts
								: !			
2001 MY		07/30/2001	21037244026	30	01/01/2001	06/30/2001	\$36,629	\$38,756	\$26,754	\$48,631	0
		05/12/2003	23990884949	36	01/01/2001	06/30/2001	\$17,559	\$839,560	\$828,557	\$28,562	0
2001 YE	MS-T	01/29/2002	22037431023	22	07/01/2001	12/30/2001	\$48,631	\$55,961	\$11,629	\$92,963	0
	MS-P	02/26/2002	22037484044								
	RQ-7	03/08/2002	22037501434								
		06/17/2002	(Admın Fınes R	TB mail	(Admin Fines RTB mailgrams sent; the report was not in house at this time)	port was not in h	ouse at this ti	me)	·		
		02/10/2003	23990366163	31	07/01/2001	12/31/2001	\$29,980	\$926,837	\$891,630	\$65,186	0
		05/09/2003	23990882979	36	07/01/2001	12/13/2001	\$28,562	\$924,061	\$891,206	\$61,417	0
			•		•						
2002 Q1	RQ-7	05/06/2002	22037581154								
	MS-T	07/21/2002	22037670423	24	01/31/2002	03/31/2002	\$92,963	\$46,458	\$20,723	\$118,698	0
	MS-P	08/01/2002	22037691986								
		09/10/2002	(Admın Fınes RTB maı	B mails	lgrams sent, the report was not in house at this time)	port was not in ho	ruse at this tin	ne)			
		02/11/2003	23990367440	22	01/01/2002	03/31/2005	\$65,186	\$1,004,813	\$975,014	\$94,985	0
		05/13/2003	23990894383	26	01/01/2002	03/31/2002	\$61,417	\$996,671	\$975,014	\$83,074	0
2002 Q2	MS-T	07/19/2002	22037661973	29	04/01/2002	06/30/2002	\$118,698	\$41,405	\$12,777	\$147,326	0
,	MS-P	08/01/2002	22037691986								
	RQ-7	08/02/2002	22037694081							,	
		10/31/2002	(Admın Fınes R	TB mail	(Admin Fines RTB mailgrams sent; the report was not in house at this time)	port was not ın hı	ouse at this tr	me)			
		02/10/2003	23990366198	23	04/01/2002	2007/06/90	\$94,985	\$733,049	\$706,144	\$121,890	0
		05/09/2003	23990883015	23	04/01/2002	06/30/2002	\$83,074	\$737,525	\$706,329	\$114,270	0
2002 12P		02/11/2003	23990367617	14	07/01/2005	07/31/2002	\$121,890	\$104,383	\$119,735	\$106,537	0
		05/09/2003	23990883038	14	07/01/2002	07/31/2002	\$114,270	\$90,432	\$103,405	\$101,297	0
			(Report not required; n	ıred; no	o RTB mailgrams sent)	sent)					

## 26044134727

### Pro-Life Campaign Committee - C00355958 2001 - 2002 History

Special  Notice Receipt Date  RQ-7 11/04/2002 2  02/11/2003 2  05/09/2003 2  12/30/2002 2	Pg 27 27 18 m 18 m 18	Dates 09/30/2002 09/30/2002 eport was not in h	Begin Cash \$106,537 \$101,297 use at this tir	Receipts \$636,542 \$608,621	Receipts         Disbursements           \$636,542         \$625,413           \$608,621         \$625,413	End Cash \$117,666 \$84,505	Debts 0 0
			\$117,666	\$664,430	\$644,928	\$137,169	
23990883110   (Admin Fines RTR	21 10/01/200	10/01/2002   11/25/2002	\$84,505	\$683,995	\$644,928	\$123,572	0
idmin Fines K I B n	naugrams sent, 1	(Admin Fines K1B mailgrams sent, the report was not in house at this time)	use at this tin	<i>1e)</i>			
23990364316 18		11/26/2002   12/31/2002   \$137,169	\$137,169	\$423,808	\$408,422	\$152,555	0
23990895064 18	$\Box$	11/26/2002   12/31/2002	\$123,572	\$428,488	\$406,323	\$145,736	0
(Admin Fines RTB mailgrams sent, the report was not in house at this time)		1 1	are at this tra	(011			